

# Criminal offences and felony crimes criminology essay



In the court system we have many different types of crime, some ranging from something as simple as a speeding ticket, to crimes that are unthinkable. Each crime that we have also has a variety of sentencing and things that will happen when said crime is committed.

**FELONIES:** A criminal offense punishable by death or by incarceration in a prison facility for at least one year. A felony is a serious crime; they include murder, rape, aggravated assault, robbery, burglary and arson. The federal government and many states have moved to a scheme of classifying the seriousness of felonies, using a number or letter designation. For purpose of criminal sentencing, for example, the federal system assigns a score of 43 to first degree murder, while a crime of theft is only rated a “base offense” level of 4. The person’s history of crime is taken into consideration as well. Because of the differences among the states, crimes can be perceived differently. A felony in one state can be just a misdemeanor, and other areas it may not be a crime at all.

In the United States a felony can lose certain rights:

Loss of voting rights (which the Supreme Court interpreted to be permitted by the Fourteenth Amendment)

Exclusion from obtaining certain licenses

Exclusion from purchase and possession of firearms, ammunition and body armor

Ineligibility for public office

Ineligibility for serving on a jury

Deportation (if the criminal is not a citizen)

The consequences of committing a crime are serious; a felony conviction is at the very least one year in prison. But the terms of incarceration can vary a lot. U. S federal courts have sentencing guidelines, which suggest the period of imprisonment and fine for each offense. Courts can use these as standards but they are not required to use those guidelines to impose a sentence upon a convicted person.

Wisconsin Felony Penalties:

Class (A) felony: imprisonment for life: however, for a repeat offender, the term of imprisonment may increase up to 2 years to 6 years. (first degree intentional homicide, felony murder)

Class (B) felony: up to 60 years, imprisonment may increase up to 2 to 6 years with a prior conviction. (Second degree intentional homicide, (manslaughter), first degree reckless homicide, conspiracy, first degree sexual assault, kidnapping)

Class © felony: the penalty is a fine of up to \$100, 000 or up to 40 years, or both, repeat offender 2 -6 years with a prior conviction. (felony drunk driving, 5th or subsequent offense, 2nd degree sexual assault, kidnapping, arson, robbery, vehicular manslaughter while intoxicated)

Class (D) felony: \$100, 000 fine or up to 25 years or both. Prior convictions may increase from 2-6 years depending on it being a misdemeanor or felony.

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( Felony drunk driving, 5th or subsequent offense, felony vehicular homicide, vehicular homicide while intoxicated, child enticement, solicitation of a child)

Class (E) felony: \$50, 000 fine 15 years or both, increase from 2-6 years for prior convictions. (battery, great bodily harm, burglary, robbery)

Class (F) felony: \$25, 000 fine and up to 12-1/2 years in prison or both, repeat offender 2-6 years longer. (failure to act to prevent sexual assault of a child, sexual exploitation, burglary, stalking, theft)

Class (G) felony: \$25, 000 fine and up to 10 years imprisonment or both longer for prior convictions 2-6 years (negligent homicide, negligent vehicular homicide, embezzlement, theft)

Class (H) felony: up to \$10, 000 fine, and imprisonment up to 6 years or both longer for prior convictions 2-6 years (embezzlement, battery (great bodily harm), false imprisonment, stalking and theft)

Class (I) felony: up to \$10, 000 fine and imprisonment up to 3-1/2 years or both, 2-6 years longer for prior convictions. (child pornography, embezzlement, battery- (substantial bodily harm) stalking, and theft)

Misdemeanor: An offense punishable by incarceration, usually in a local confinement facility, for a period whose upper limit is prescribed by statute in a given jurisdiction, typically less than one year or less. Minor crimes consisting of offenses such as petty theft, which is the theft of items with little worth, normally a person can't be arrested for a misdemeanor unless the crime was committed in front of the officer.

Misdemeanors are classified according to their severity. Each misdemeanor classification; provides recommendation for jail sentences and forfeitures (fines). A person convicted of a misdemeanor can be sent to a county or local jail, ordered to pay a fine, or both.

Class (A) Misdemeanor: up to a \$10, 000 fine or prison for up to 9 months or both, repeat offenders may be in prison for up to 2 years.

Class (B) Misdemeanor: up to a \$1000 fine, 90 days in prison or both, repeat offender can increase time to up to 2 years.

Class © Misdemeanor: up to a \$500 fine, and 30 days in prison or both, longer for repeat offender up to 2 years.

Both felonies and misdemeanors are criminal charges but with one big difference, Felony you are in a state or federal prison, with a misdemeanor you are in a local or county jail.

Offenses: A violation of the criminal law. Also, in some jurisdictions a minor crime, such as jaywalking, that is sometimes described as getting a ticket, others would include spitting on the sidewalk, littering, and traffic violations, including but not limited to not wearing a seatbelt. Another good word for it would be called an infraction, people that commit infractions are usually ticketed and released. Court appearances are usually waived, through payment of a small fine that can be mailed.

Treason: A U. S citizen's actions to help a foreign government overthrow, make war against, or seriously injure the United States, also the attempt to overthrow the government of the society of which you are a member. Special  
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categories of crime do exist and they should be recognized, they are treason & espionage, two crimes that are considered as the most serious felonies. In addition to being a federal offense it's also a law under most states. “

Treason against the state shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort, and no person shall be convicted of treason except on the testimony of two witnesses to the same overt act or on confession in open court.”

Espionage: The gathering, transmitting, or losing of information related to the nation defense in such a manner that the information becomes available to enemies of the United States and may be used to their advantage.

Espionage can be committed by noncitizens. Over at least 3 decades, beginning in the 1960's, Chinese spies apparently stole enough weapons-related information to advance China's nuclear weapons program into the modern era. An example of espionage is the crime committed by former FBI agent Robert Hanssen. In July 2001, he pleaded guilty in the U. S District Court in Alexandria, Virginia, to 15 counts of espionage and conspiracy against the United State's He admitted to passing U. S secrets to Moscow from about 1970 until 2001, when undercover investigators caught him leaving a package for his Russian handlers under a wooden footbridge in a Virginia park. He had accepted more than \$1. 4 million dollars in cash and diamonds. In exchange for his FULL cooperation he was spared the death penalty and was sentenced to life in prison without the possibility of parole. Historically, treason also covered the murder of specific social superiors, such as the murder of husband by his wife (treason against the king was

known as high treason and treason against a lesser superior was perit treason).

Inchoate Crimes: Also called incomplete crimes, are acts which involve the inclination to commit, or indirect participation in, a criminal offense. They include, attempt, conspiracy, and solicitation. Being an accessory or an accomplice to a crime are also inchoate criminal offenses. They used to be considered a minor crime, but today many are considered serious crimes.

This is a general rule about inchoate crimes:

A person cannot be charged with an inchoate offense and the actual crime. Example: you can't be charged with both murder and attempted murder. The exception is conspiracy, you can be charged with drug trafficking and conspiracy to smuggle drugs.

Lesser penalties are usually assigned for inchoate offenses, though the sentence for an inchoate crime may be equal to the penalties for the actual crime.

To be convicted of an inchoate crime, the prosecutor must prove that you had a specific intent (*mens rea*) to commit or contribute to the crime.

Inchoate crimes must involve some outward action or a substantial step in the completion of the crime.

The person that actually commits the crime is known as the principal and others involved are known as the accomplices. If you commit a bank

robbery, and you drive the car, you are just as guilty as the person holding the gun to the bank tellers head.

Witnessing a murder and not calling it in, makes you just as guilty as if you committed the murder yourself. Inchoate crimes are highly controversial and often challenging to litigate.